UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

MAR 27 2018

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Mr. Peder Mork
Environmental Compliance Specialist
Trident Seafoods
5303 Shilshole Avenue, North West
Seattle, Washington 98107

Re: Trident Seafoods – Naknek Facility
Spill Prevention Control and Countermeasure (SPCC) Inspection

Dear Mr. Mork:

On August 1, 2017, representatives of the U.S. Environmental Protection Agency (EPA) inspected the Trident Seafoods Naknek facility ("Facility") located near Naknek, Alaska. The purpose of this Spill Prevention, Control and Countermeasure (SPCC) inspection was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and Oil Pollution Prevention regulations found at 40 C.F.R. Part 112.

The purpose of this Notice of Violation is to notify Trident Seafoods of EPA's determinations from that inspection. A summary of deficiency findings of the Oil Pollution Prevention regulations found at the Facility are enclosed with this letter.

Pursuant to the Oil Pollution Prevention regulations, the Facility must have a certified SPCC plan in accordance with the requirements of 40 C.F.R. § 112.7 and 40 C.F.R. § 112.3(a), must maintain a copy of the plan on site (40 C.F.R. § 112.3(e)), and must fully implement the plan (40 C.F.R. § 112.3(a)). Violations of the SPCC requirements may subject the owner and operator of an SPCC regulated facility to a substantial civil penalty for each day of violation pursuant to Section 311(b)(6)(B)(ii) of the CWA, 33 U.S.C. § 1321(b)(6)(B)(ii) and 40 C.F.R. Part 19. Although it may not prevent the EPA from seeking a penalty for past violations, prompt compliance will be taken into account in determining whether this notice is an adequate enforcement response, or whether further enforcement actions are appropriate and necessary.

Trident Seafoods is required to respond in writing to the enclosed findings within thirty (30) days of receipt of this letter. In addition, if an updated SPCC plan has been prepared (e.g., revised draft or final signed plan), please include it along with your correspondence. The request for information in this notice is made under the authority of Sections 308 and 311(m) of the CWA, 33 U.S.C. §§ 1318 and 1321(m). In accordance with the provisions of 40 C.F.R. § 2.203, you may assert a business confidentiality claim covering part or all of the information submitted by clearly identifying it as

"confidential." If no such claim accompanies the information when it is received by the EPA, it may be made available to the public without further notice.

In order to help you with your spill prevention work and for current changes to the rule, please visit EPA's Oil Spill site at *https://www.epa.gov/oil-spills-prevention-and-preparedness-regulations*. The EPA reserves the right to revisit your facility at some time in the future. Any questions or follow-up regarding this matter should be directed to Kate Spaulding, EPA Region 10 SPCC Enforcement Officer, at (206) 553-5429 or spaulding.kate@epa.gov. Thank you again for your cooperation.

Sincerely,

Edward J. Kowalski
Director

Enclosure
1. Trident Naknek Violations Review

cc: Mr. Graham Wood
Alaska Department of Environmental Conservation

EPA/FACILITY SPCC & FRP INSPECTION REVIEW Trident Seafoods Naknek, Alaska 99633			
SPCC RULE REFERENCE	**PLAN**	**FIELD**	**INSPECTION DEFICIENCY DESCRIPTION (August 1, 2017)**
112.7(e) Inspections		X	Inspections and tests conducted in accordance with written procedures. Record of inspections or tests signed by supervisor or inspector. Kept with Plan for at least 3 years.
112.7(f) **(1)&(3)** Personnel Training		X	(1) Training of oil-handling personnel in operation and maintenance of equipment to prevent discharges; discharge procedure protocols; applicable pollution control laws, rules, and regulations; general facility operations; and contents of SPCC Plan. (3) Discharge prevention briefings conducted at least once a year for oil handling personnel to assure adequate understanding of the Plan. Briefings highlight and describe known discharges as described in §112.1(b) or failures, malfunctioning components, and any recently developed precautionary measures.
112.8(c)(6) Tank Integrity Testing		X	• Test or inspect each aboveground container for integrity on a regular schedule and whenever you make material repairs. Techniques include, but are not limited to: visual inspection, hydrostatic testing, radiographic testing, ultrasonic testing, acoustic emissions testing, or other system of non-destructive testing. • Appropriate qualifications for personnel performing tests and inspections are identified in the Plan and have been assessed in accordance with industry standards. • The frequency and type of testing and inspections are documented, are in accordance with industry standards and take into account the container size, configuration and design. • Comparison records of aboveground container integrity testing are maintained. • Container supports and foundations regularly inspected. • Outside of containers frequently inspected for signs of deterioration, discharges, or accumulation of oil inside diked areas. • Records of all inspections and tests maintained.
112.8(c)(8) Liquid Level Sensing	X	X	Each container is equipped with at least one of the following for liquid level sensing: • High liquid level alarms with an audible or visual signal at a constantly attended operation or surveillance station, or audible air vent in smaller facilities; • High liquid level pump cutoff devices set to stop flow at a predetermined container content level; • Direct audible or code signal communication between container gauger and pumping station; • Fast response system for determining liquid level (such as digital computers, telepulse, or direct vision gauges) and a person present to monitor gauges and overall filling of bulk containers; or • Regularly test liquid level sensing devices to ensure proper operation.